REMARKS

The Examiner rejected claims 1 – 21 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,648,044 to Hardy *et al.* in view of U.S. Patent No. 6,651,054 to de Judicibus. In that regard, the Examiner stated that Hardy *et al.* discloses:

"transmitting the rule to a server (col. 7, lines 15-34)" and

"storing the rule on the server (col. 7, lines 15-34)" and

"transmitting the parameter to the server (col. 11, lines 47-53)" and

"transmitting the first value to the computer if the premise is true, otherwise

transmitting the second value to the computer (col. 11, lines 40-46)."

The Examiner also stated that col. 11, lines 40-67 of Hardy et al. disclose:

"generating a subroutine by the server that determines if the premise is true and,

based at least in part upon the conclusion . . .."

Applicants respectfully submit that Hardy *et al.* does not disclose any of the above elements.

The "Generating a Subroutine" Limitation

The Examiner states that col. 11, lines 40 –76 of Hardy *et al.* disclose:

"generating a subroutine by the server that determines if the premise is true . . ."

The portion of Hardy *et al.* cited by the Examiner discloses the execution of a FINDCHAR subroutine and the determination if an entire character string has been matched by the FINDCHAR subroutine.

Applicants respectfully submit that Hardy *et al.* does not disclose generating a subroutine that determines if <u>the premise of claim 1</u> is true. The premise that is referenced in the above limitation of claim 1 is a very specific premise. Recall that claim 1 requires:

"receiving a rule by the computer, the rule defining a premise" and

"transmitting the rule from the computer to a server."

Thus, "generating a subroutine by the server that determines if the premise is true" <u>requires a server generating a subroutine that determines if a premise, which was defined by a rule sent</u>

from the computer to the server, is true. In order for such a generation to occur, the subroutine must be generated after the rule was sent from the computer to the server. Simply executing a pre-existing subroutine does not meet such a limitation. As a result, Hardy et al. does not disclose generating the claimed subroutine.

In order to clarify the above limitation, Applicants have amended claim 1 by adding several occurrences of the term "then." As a result, Applicants believe that the required sequence of claim 1 is simpler to understand.

The "Transmitting" Limitations

The Examiner states that col. 7, lines 15 – 34 of Hardy et al. disclose transmitting a rule to a server. The portion of Hardy et al. cited by the Examiner discloses evaluating the premise of a rule. However, the cited portion does not disclose transmitting the rule to a server. In order to transmit the rule to a server, the rule must be transmitted from a device that is external to the server. Note that "transmitting a rule to a server" is significantly different from "transmitting a rule within a server."

Applicants respectfully submit that Hardy et al. does not disclose transmitting information from a computer to a server. Hardy et al. discloses a single personal computer. See Hardy et al. col. 3, ln. 54 – col. 4, ln. 5 and col. 5, lns. 24 – 27. Hardy et al. does not disclose any action being performed by a server. In fact, Hardy et al. does not include the word "server." Because Hardy et al. only discloses a single personal computer, which executes the basic expert system tool ("BEST"), Hardy et al. does not disclose transmitting rules or parameters to a server, or transmitting values to a computer. Each of those transmissions are required by claim 1.

In an effort to clarify the meaning of "transmit to," claim 1 has been amended to expressly state the source of the transmission and the destination of the transmission. For example, claim 1 now requires:

"transmitting the parameter from the computer to the server."

The Examiner states that col. 11, lines 47 – 53 of Hardy et al. disclose transmitting a parameter to the server. The portion of Hardy et al. cited by the Examiner discloses the execution of a FINDCHAR subroutine. For the reasons discussed above, the portion cited by the Examiner does not disclose transmitting a parameter to a server.

The Examiner states that col. 11, lines 40 – 67 of Hardy *et al.* disclose transmitting a parameter to the server. The portion of Hardy *et al.* cited by the Examiner discloses the execution of a FINDCHAR subroutine and determining if an entire character string has been matched by the FINDCHAR subroutine. For the reasons discussed above, the portion cited by the Examiner does not disclose transmitting a parameter to a server.

In light of the above, Applicants submit that claim 1, together with claims 2 – 19, each of which depend directly or indirectly from claim 1, are allowable over the art of record.

Because, as discussed above, Hardy *et al.* does not disclose transmitting a rule from a computer to a server and does not disclose receiving an assessment by a computer that is generated by a server, Applicants also submit that claim 20 is allowable over the art of record. Similarly, because Hardy *et al.* does not disclose generating the above-discussed subroutine, Applicants submit that claim 21 is allowable over the art of record.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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